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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/698,669	10/31/2003	Bo Shen	200310013-1	1029
22879 7590 12/19/2006 HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400			EXAMINER HO, BINH VAN	
			ART UNIT 2163	PAPER NUMBER
SHORTENED STATUTORY PERIOD OF RESPONSE		MAIL DATE	DELIVERY MODE	
3 MONTHS		12/19/2006	PAPER	

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

**Office Action Summary**

Application No.

10/698,669

Applicant(s)

SHEN ET AL.

Examiner

Binh V. Ho

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12-19/2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This is a response to amendment filed 09/22/2006.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-2, 4-7, 11, 13, 15-17, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krissell (US 2005/0060493) in view of Dixit (US 7,051,161).

(Claims 1, 11, and 16)

Krissell discloses substantially all of the elements in figures 1-2, 4, and 6, a method of prioritizing content, said method comprising receiving at a proxy cache a request for a first content object; searching a data structure of said proxy cache for a portion of said first content object; calculating the size of said portion of said first content object on said proxy cache; deriving the normally utilized size of said first content object requested; (Abstract, Paragraph [0008]-[0012], [0016], [0024]-[0027], [0036], [0039], [0044], [0046], [0048], [0049], [0053], [0067], [0068], [0074], [0078], [0080], [0082], [0084], [0085], [0088]), except comparing the size of said portion of said first content object on said proxy cache with the normally utilized size of said first content object requested, and denying a further segment of said first content object to said proxy cache if said average view length is less than the size of said first content object on said proxy cache; and admitting a further segment of said first content object to said proxy

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cache if said average view length is greater than the size of said first content object on said proxy cache. Dixit discloses in figures 3-10, the average size of object currently store in the cache (Abstract, col. 3, lines 6-22; col. 4, lines 66 +; col. 5, lines 59-62; col. 6, lines 3-21, lines 45 +; col. 7, lines 20 +). It would be obvious to one having ordinary skill in the art at the time the invention was made to find out the average of the object currently in stored in the cache, to compared and make decision to denying or admitting will be cache..

(Claims 2, 15, and 17)

Krissell discloses in figure 1, receiving said request for said first content object from a client device/ an end user (Paragraph [0005]), [0007], [0008], [0010], [0013], [0027]).

(Claims 4, 13, and 19)

Krissell discloses utilizing said access log of said proxy cache to establish an average view length of said first content object (Paragraph [0011], [0016], [0036], [0038], [0039], [0067], [0080]).

(Claim 7)

Krissell discloses in figure 4, checking available cache space on said proxy cache; and making room on said proxy cache (Paragraph [0066]).

(Claims 5, and 6)

Dixit discloses in figure 6, the method comprising admitting no further portion of said first content object to said proxy cache if said normally utilized size is less / greater size of said portion of said first content object on said proxy cache (col. 6, lines 45 +).

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4. Claims 3, 7-10, 12, 14, 18, 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Krissell in view of Wolf (US 6,463,508).

(Claim 7)

Krissell discloses substantially all of the elements, except checking available cache space on said proxy cache; and making room on said proxy cache. Wolf teaches the process to check buffer space as Wolf disclosed in figure 9, col. 7. It would be obvious to one having ordinary skill in the art at the time the invention was made to check available cache space on the proxy cache to ready admit another segment.

(Claims 3, 9, 18, and 21)

Wolf teaches in figures 3-10, counting a total number of segments, measuring a length of said total number of segments, multiplying said total number of segments, segmenting said one of said other content objects and removing all segments (col. 2, 4, and 7-8).

(Claims 8, 10, 12, 14, and 20)

Wolf teaches in figures 3, 5, and 7-10, prioritizing said other content objects based on said utility value; selecting one of said other content objects with a smallest utility value; removing a lowest priority portion of said other content object with the smallest utility value on said proxy cache; and admitting said further segment of said first content object to said proxy cache (col. 2, 4, 7 and 8).

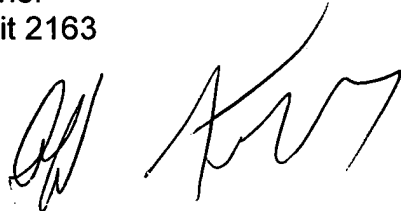
### Inquiry

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Binh V. Ho whose telephone number is 571 272 8583. The examiner can normally be reached on M-F from 8:00AM - 4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Don K. Wong can be reached on 571 272 1834. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Binh V Ho  
Examiner  
Art Unit 2163



ALFORD KINDRED  
PRIMARY EXAMINER